

1 CLIFF W. MARCEK, ESQ.
 2 Nevada Bar No. 5061
 3 BRETT A. CARTER, ESQ
 4 Nevada Bar No. 5904
 5 BERTOLDO CARTER SMITH & CULLEN
 6 7408 West Sahara Avenue
 7 Las Vegas, Nevada 89117
 8 Phone: (702) 228-2600
 9 Fax: (702) 228-2333
 10 cmarcek@nvlegaljustice.com
 11 carter@nvlegaljustice.com
 12 Attorney for Plaintiffs

8
 9
 10 **UNITED STATES DISTRICT COURT**
 11
 12 **DISTRICT OF NEVADA**

13 * * *

14
 15 MARIA BRIDENBAUGH, Individually; and
 16 JOHN BRIDENBAUGH, Individually;

17 Plaintiffs,

v.

18 FORD MOTOR COMPANY, a Delaware
 19 Corporation; DOES 1 Through 20; and ROE
 20 BUSINESS ENTITIES 1 Through 20,

21 Defendants.

22 CASE NO.: 2:24-cv-00188-GMN-BNW

23 **STIPULATION AND ORDER TO**
 24 **EXTEND DISCOVERY DEADLINES**
 25 **(First Request)**

26 **STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES**
 27 **(First Request)**

28 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs MARIA
 1 BRIDENBAUGH and JOHN BRIDENBAUGH and Defendant FORD MOTOR COMPANY, by,
 2 and through their respective undersigned counsel of record, pursuant to LR II 26-3, that discovery
 3 and related deadlines be extended. This is the Parties' **First Request** for a continuance of discovery
 4 deadlines.

5 **I. Discovery Completed to Date:**

6 This matter involves an incident that occurred on November 21, 2021, when Plaintiff
 7 MARIA BRIDENBAUGH alleges that she suffered serious burns from the heated seats in her 2010
 8 Lincoln Town Car. Discovery completed to date includes the following:

1 a. Plaintiffs' Complaint was filed on November 20, 2023;
2 b. Defendant filed an Answer to the Complaint on January 26, 2024;
3 c. The Parties held a FRCP 26(f) Conference on February 21, 2024;
4 d. The Parties filed a Joint Status Report on February 29, 2024;
5 e. Defendant served their Initial Disclosure of Witnesses and Documents on March 6, 2024;
6 f. Defendant conducted an inspection of the subject vehicle on March 13, 2024;
7 g. The Parties filed a Joint Discovery Plan and Scheduling Order on March 14, 2024;
8 h. Plaintiffs served their Initial Disclosure of Witnesses and Documents on March 14, 2024;
9 i. Defendant propounded their First Set of Interrogatories to Plaintiffs JOHN and MARIA
10 on April 3, 2024, and Plaintiffs responded on May 6, 2024;
11 j. Defendant propounded their First Set of Requests for Production to Plaintiffs JOHN and
12 MARIA on April 3, 2024, and Plaintiffs responded on May 8, 2024;
13 k. Plaintiffs served their First Supplemental Disclosures on May 8, 2024;
14 l. Plaintiffs propounded their First Set of Requests for Production and First Set of
15 Interrogatories on May 23, 2024, and Defendant responded on June 24, 2024;
16 m. Defendant served their First Supplemental Disclosures on June 5, 2024;
17 n. Plaintiffs served their Second Supplemental Disclosures on June 7, 2024;
18 o. Defendant served their Second Supplemental Disclosures on July 17, 2024;
19 p. Defendant served their Third Supplemental Disclosures on July 19, 2024;
20 q. Plaintiff MARIA BRIDENBAUGH's deposition was taken on July 22, 2024;
21 r. Plaintiff JOHN BRIDENBAUGH's deposition was taken on July 23, 2024.

22 **II. Discovery that Remains to be Completed:**

23 a. Obtain, disclose and evaluate additional medical and billing records of Plaintiff
24 MARIA;
25 b. Take the depositions of persons disclosed by Defendant including FRCP 30(b)(6)
26 deposition;
27 c. Initial Expert Disclosures;
28 d. Rebuttal Expert Disclosures;
e. Propound additional discovery, if necessary;

- f. Take the deposition of Plaintiffs' experts;
- g. Take the deposition of Defendant's experts;
- h. Take the depositions of Plaintiff's treating doctors, as necessary;
- i. Additional discovery yet to be determined as may be necessary.

III. Reasons Why the Parties are Requesting Extension:

The parties have diligently worked to meet the current deadlines. Discovery is ongoing and the parties are cooperating in good faith. Plaintiff MARIA's treatment has stabilized, and her injuries will likely affect her for the rest of her life. Additionally, plaintiffs are still in the process of obtaining medical records and bills for past treatment. The parties seek to gather, disclose and evaluate the entirety of plaintiffs' claimed damages, including past, current and future condition and economic loss and expense. Plaintiffs also need additional time to secure experts. The parties are working together to avoid unnecessary time and expense before exhausting settlement potential.

The parties agree that good cause justifies moving the current deadlines 60 days to afford the parties sufficient time to gather and analyze evidence and possibly discuss settlement before incurring otherwise avoidable expenses and the Court's time. Accordingly, the Parties request a sixty (60) day extension of the current discovery deadlines in order to secure qualified experts, obtain all medical and billing records, and to allow the parties' experts the opportunity to review said records and prepare expert reports.

The Parties make this request to the Court in good faith and not for the purpose of delay. The proposed deadlines for a sixty (60) day extension are set forth below.

IV. Proposed Discovery Schedule:

The parties propose the following discovery deadlines:

| <u>Discovery</u> | <u>Current Deadline</u> | <u>Proposed Deadline</u> |
|--|-------------------------|--------------------------|
| Initial Expert Disclosures (Plaintiffs) | September 13, 2024 | November 12, 2024 |
| Initial Expert Disclosures (Defendant) | October 14, 2024 | December 13, 2024 |
| Add Parties/Amend Pleadings | September 13, 2024 | November 12, 2024 |
| Rebuttal Expert Disclosures | November 11, 2024 | January 10, 2025 |
| Close of Discovery | December 13, 2024 | February 11, 2025 |

| | | |
|------------------------|-------------------|----------------|
| 1 Dispositive Motions | January 13, 2025 | March 13, 2025 |
| 2 Joint Pretrial Order | February 12, 2025 | April 12, 2025 |

3 IT IS SO AGREED AND STIPULATED, THROUGH COUNSEL OF RECORD.

4

5 Dated this 5th day of August, 2024.

6 Dated this 1st day of August, 2024.

7 **BERTOLDO CARTER SMITH &**
CULLEN

8 **SNELL & WILMER, LLP**

9 /s/ Cliff W. Marcek
10 CLIFF W. MARCEK, ESQ.
Nevada Bar No. 5061
11 BRETT A. CARTER, ESQ.
Nevada Bar No. 5904
12 7408 West Sahara Avenue
Las Vegas, Nevada 89117
13 Phone: (702) 228-2600
Fax: (702) 288-2333
14 *Attorneys for Plaintiffs*
Maria Bridenbaugh and
John Bridenbaugh

15 /s/ Dawn Davis
16 Vaughn A. Crawford, Esq. (NSB #7665)
Dawn L. Davis, Esq. (NSB #13329)
Christian P. Ogata, Esq. (NSB #15612)
3883 Howard Hughes Pkwy., Ste. 1100
17 Las Vegas, Nevada 89169
Tel.: 702-784-5200
Fax: 702-784-5252
Attorneys for Defendant
FORD MOTOR COMPANY

18 Respectfully Submitted By:

19 /s/ Cliff W. Marcek, Esq.
CLIFF W. MARCEK, ESQ.
Nevada Bar No. 5061
20 BRETT A. CARTER, ESQ.
Nevada Bar No. 5904
21 7408 West Sahara Avenue
Las Vegas, Nevada 89117
22 Phone: (702) 228-2600
Fax: (702) 288-2333
23 *Attorneys for Plaintiffs*
Maria Bridenbaugh and
John Bridenbaugh

24 IT IS SO ORDERED.

25 
26 UNITED STATES MAGISTRATE JUDGE

27 DATED: August 6, 2024

28 BERTOLDO CARTER SMITH & CULLEN
7408 West Sahara Avenue
Las Vegas, Nevada 89117
702-228-2600 • Fax 702-228-2333